

Response to Notice of Non-Compliant Amendment  
Serial No. 09/856,681  
Page 7

### REMARKS

The present invention related to a human semaphorin protein.

Prior to the First Amendment and Response to Non-Final Office Action filed on February 13, 2003, Claims 22-56 were pending in the present application. Claims 22-25, 35-37, and 41-56 were withdrawn from consideration as non-elected. By the First Amendment and Response to Non-Final Office Action, Claims 27-28 and 30-31 were cancelled by the Applicant. Upon filing of the First Amendment and Response to Non-Final Office Action, Claims 22-26, 29, and 32-56 were to be pending in the present application, with Claims 26, 29, 32-34 and 38-40 being under consideration.

According to Notice of Non-Compliant Amendment mailed March 1, 2004, the First Amendment and Response to Non-Final Office Action was considered non-compliant because a complete listing of all the claims was not present. In order for the First Amendment and Response to Non-Final Office Action to be compliant, re-submission of the non-compliant "Amendments to Claims" section was required.

Upon review of the "Amendments to Claims" section of the First Amendment and Response to Non-Final Office Action, Applicants note that Claims 22-56 are listed in the section, while cancelled Claims 1-21 are not listed. Accordingly, Applicants hereby submit a corrected section "Amendments to Claims" listing Claims 1-56. Applicants respectfully assert that the section "Amendments to Claims" submitted herewith contains listing of all of the claims and meets the requirements of 37 C.F.R. § 1.121 as amended on June 30, 2003. Applicants respectfully assert that filing of the corrected "Amendments to Claims" section renders the First Amendment and Response to Non-Final Office Action compliant.

Applicants request reexamination and reconsideration of the application.

Response to Notice of Non-Compliant Amendment  
Serial No. 09/856,681  
Page 8

**CONCLUSION**

Applicants respectfully assert that the claims are now in condition for allowance and request that the application be passed to issuance. If the Examiner believes that any informalities that may be corrected by Examiner's amendment remain in the case, or if there are any other issues which can be resolved by a telephone interview, a telephone call to the undersigned agent at (404) 815-6102 is respectfully solicited.

No additional fees are believed due, however, the Commissioner is hereby authorized to charge any deficiencies which may be required or credit any overpayment to Deposit Account Number 11-0855.

Respectfully submitted,



Elena S. Polovnikova, Ph.D.  
Patent Agent  
Reg. No. 52,130

KILPATRICK STOCKTON LLP  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 30309-4530  
(404) 815-6500  
Our Docket: 48498-0100 (48498-258443)